



Montgomery County Government
Building & Codes Department
350 Pageant Lane, Suite 309
Clarksville, TN 37040
Phone 931.648.5718 Fax 931.553.5121

MONTGOMERY COUNTY FLOODPLAIN DEVELOPMENT PERMIT

Note: The application for a Floodplain Development Permit is a SEPARATE Process from the Building Permit application process. The Floodplain Development Permit is a prerequisite for all applications to the Building & Codes Department for any development in the Special Flood Hazard Area.

Terms & Conditions

Permit Required: As required by the Federal Emergency Management Agency (FEMA) Code of Federal Regulations, National Flood Insurance Program, (NFIP) 44 CFR Part 60.3(a)(1), no work of any kind may begin in the Special Flood Hazard Area (SFHA) until a Floodplain Development Permit is issued. The permit shall be for all structures and for all development, including fill and other activities, as set forth in the Floodplain Regulations found in the Montgomery County Zoning Resolution. Examples of such activities include but are not limited to new construction, reconstruction, rebuilding, placement of manufactured homes, placement of small outbuildings, fences, walls, clearing of trees and other vegetation, placement of driveway culverts or bridges, long term storage of equipment and materials or any man-made change to improved or unimproved real estate such as dredging, drilling, excavation, filling, grading, logging, mining, or paving. The floodplain development permit requirement is intended to allow the County to monitor activities located in the SFHA to ensure the following:

- Base flood elevations do not significantly change as a result of development.
- Buildings in floodways and floodplains are constructed and maintained properly.
- Substantially damaged/improved buildings are brought into compliance with current floodplain regulations.

Application for Permit: Application for a Floodplain Development Permit shall be made on forms furnished by the County. If a change of ownership of the affected property occurs following the issuance of a permit and prior to issuance of a Certificate of Compliance, the new owner(s) shall apply within 15 days of the date of ownership change. If a new application is not submitted within the 15 days, all work must cease immediately. No deviation from the original application is allowed except the change of ownership. By signing and submitting this application the Applicant certifies that all statements contained in the application, and in any additional attachments, are true and accurate. All applications shall include the following:

- A. Plans in PDF format, e-signed and stamped by the engineer, drawn to scale, and showing:
1. The nature, location, dimensions, and elevations of the area in question, including the location of the property with reference to river and stream channels, floodplain and floodway, and the location of permanent or temporary reference marks.
 2. Existing and proposed structures and/or development
 3. Fill and excavation details
 4. Storage of materials
 5. Location of drainage facilities
 6. Elevation of the bottom floor of all structures (including basements or crawl spaces)
 7. Engineering details and description of the extent to which any watercourse will be altered or relocated as a result of proposed development
 8. If applicable, elevation to which any structure will be flood proofed and certification by a registered engineer that flood proofing methods for any structure meet the flood proofing criteria established in the FEMA Floodplain Regulations
 9. Extent of foundation walls and footings below finished grade
 10. Size and location of all flood openings/vents
 11. Proposed elevations of all mechanical, electrical, plumbing, and ducting systems
- B. For structures, an Elevation Certificate based on construction drawings from a registered surveyor. A finished construction Elevation Certificate will be required upon completion of the structure before the Certificate of Compliance is issued.
- C. Copies of environmental permits from Federal or State agencies, if applicable, and evidence of notification of the adjacent communities and FEMA of any alteration or relocation of watercourses.
- D. Copy of Conditional Letter of Map Revision (CLOMR) applications and the supporting flood studies and data. The FEMA response must be submitted prior to the beginning of construction.
- E. Any additional information required by the Floodplain Administrator.

Field Information: The applicants engineer, or surveyor shall establish two temporary Base Flood Elevation marks within 50 feet of the proposed development and the floodway boundary shall be marked every 50 feet across the property. The floodway boundary shall be established using the Flood Boundary and Floodway Map.

Review: Upon receipt of a completed Floodplain Development Permit Application the Floodplain Administrator shall review the application and grant or deny the requested

development permit, in accordance with the provisions of the Floodplain Ordinance and current FEMA NFIP rules and regulations.

Notice To Applicant, Issuance of Permit: After a decision has been rendered, the Floodplain Administrator shall return one copy of the application and decision, including any special permit conditions that apply, after having marked such copy either as approved or denied and attested to the same by signing such copy. One copy of the completed application, decision and special conditions shall be retained by the Floodplain Administrator. The Floodplain Administrator shall issue a placard to be posted in a conspicuous place on the affected property, and the placard shall remain posted until a Certificate of Compliance is issued, attesting to the fact that the use or alteration is in compliance with the provisions of the Floodplain Resolution.

Substantial Improvements and Additions: If the value of an addition or alteration to a structure equal or exceed 50% of the value of the structure before the addition or alteration, the entire structure must be treated as a substantially improved structure and must be brought up to current FEMA Flood Program standards. A relocated structure must be treated as new construction.

Certificate of Compliance: The development may not be used or occupied until a Certificate of Compliance is issued. By signing and submitting this application the Applicant gives consent to the Floodplain Administrator or a designee to make reasonable inspections prior to the issuance of a Certificate of Compliance.

Non-Conversion Agreement: Residential structures with enclosed areas below the Base Flood Elevation will require a Non-Conversion Agreement to be signed and recorded before the Certificate of Compliance is issued.

Expiration and Revocation of Floodplain Development Permit: A Floodplain Development Permit shall be subject to expiration and/or revocation by the Floodplain Administrator under the following circumstances:

- A. Upon change of ownership, if the new owner does not apply within 15 days of the change of ownership.
- B. The owner deviates from the original application in any way other than change of ownership.
- C. Work has not started within 180 days of permit approval or if work is suspended for 180 days.
- D. Extensions may be granted by the Floodplain Administrator but must be obtained within one year of the date of issue.

Appeals: Any person aggrieved by a decision of the Floodplain Administrator in the grant or denial of a Floodplain Development Permit may appeal such decision to the Montgomery County Board of Zoning Appeals by filing a notice of appeal at the Building & Codes Department office stating the nature of the appeal and the contact information of the applicant, within

thirty (30) days of the return of the Floodplain Administrator's decision to the Applicant. The Montgomery County Board of Zoning Appeals shall schedule and hold a public hearing in accordance with the Montgomery County Zoning Resolution to consider the application. Following the public hearing, the decision will be sent by registered mail to the address provided by the applicant.

Liability: The applicant and the applicant's heirs, administrators, executors, assigns, and any other successor in interest shall indemnify and hold the County harmless from any and all damages, accidents, casualties, occurrences, claims or attorney's fees which might arise or be asserted, in whole or in part, against the County from the conditions of this permit. In the event a claim is asserted against the County, its officers, agents or employees, the County shall notify the applicant, who shall defend at applicant's expense any suit or other claim. If any judgment or claims against the County shall be allowed, the applicant shall pay all costs and expenses in connection therewith. The County will not indemnify, defend, or hold harmless in any fashion the applicant from any claims arising from any failure, regardless of any language in any attachment of other document that the applicant may provide.

Document Retention: In accordance with Federal and State NFIP regulations, and the Floodplain Regulations found in the Montgomery County Zoning Resolution, documentation related to this application must be retained. Specifically, all records including but not limited to Floodplain Development Permits, elevation certificates, engineering certificates, Certificates of Completion and plan maps must be permanently retained by the County for public inspection at the Montgomery County Building & Codes Office.



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Floodplain Development Application

Applicant Name	
Mailing Address	
Physical Address	
Phone	
Cell Phone	
E-Mail	

Landowner	
Mailing Address	
Physical Address	
Phone	
Cell Phone	
E-Mail	

Attach additional sheets with the appropriate information if there is more than one landowner. The permit application will not be accepted without the information of all landowners.

Engineer	
Firm	
Address	
Phone	
Cell Phone	
E-Mail	

Contractor	
Firm	
Address	
Phone	
Cell Phone	
E-Mail	

Note: A valid e-mail address and monitored phone number is required for all parties.

Floodplain Development Application

Site Location Information (If more than one property is affected, attach a separate sheet)

Project Address: _____		
Tax Map: _____	Group: _____	Parcel: _____
Latitude: _____		Longitude: _____
Waterway Name: _____		
Flood Zone Designation: _____		FIRM Panel: _____
Floodway <input type="checkbox"/>	FIRM Date: _____	FIS Base Flood Elevation: _____
Datum: NGVD 1926 <input type="checkbox"/>	NAVD 1988 <input type="checkbox"/>	Other (Specify) <input type="checkbox"/> _____

Type of Project (Check all That Apply)

<input type="checkbox"/> Alterations, Additions, or Improvements to an Existing Structure (See Terms & Cond) * <div style="text-align: right; margin-right: 50px;">Original Assessed Value of the Structure: _____</div> <div style="text-align: right; margin-right: 50px;">Cost of the Alterations, Additions, or Improvements: _____</div> <div style="text-align: right; margin-right: 50px;">Difference: _____</div>
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<input type="checkbox"/> New Building / Structure Accessory Structures Manufactured Homes Single Family Residential Commercial (Dry Floodproofing Certification or Elevation Certificate Required Post-Construction)	<input type="checkbox"/> Crossing / Roads Bridge Culvert Temporary Access Utility Crossing
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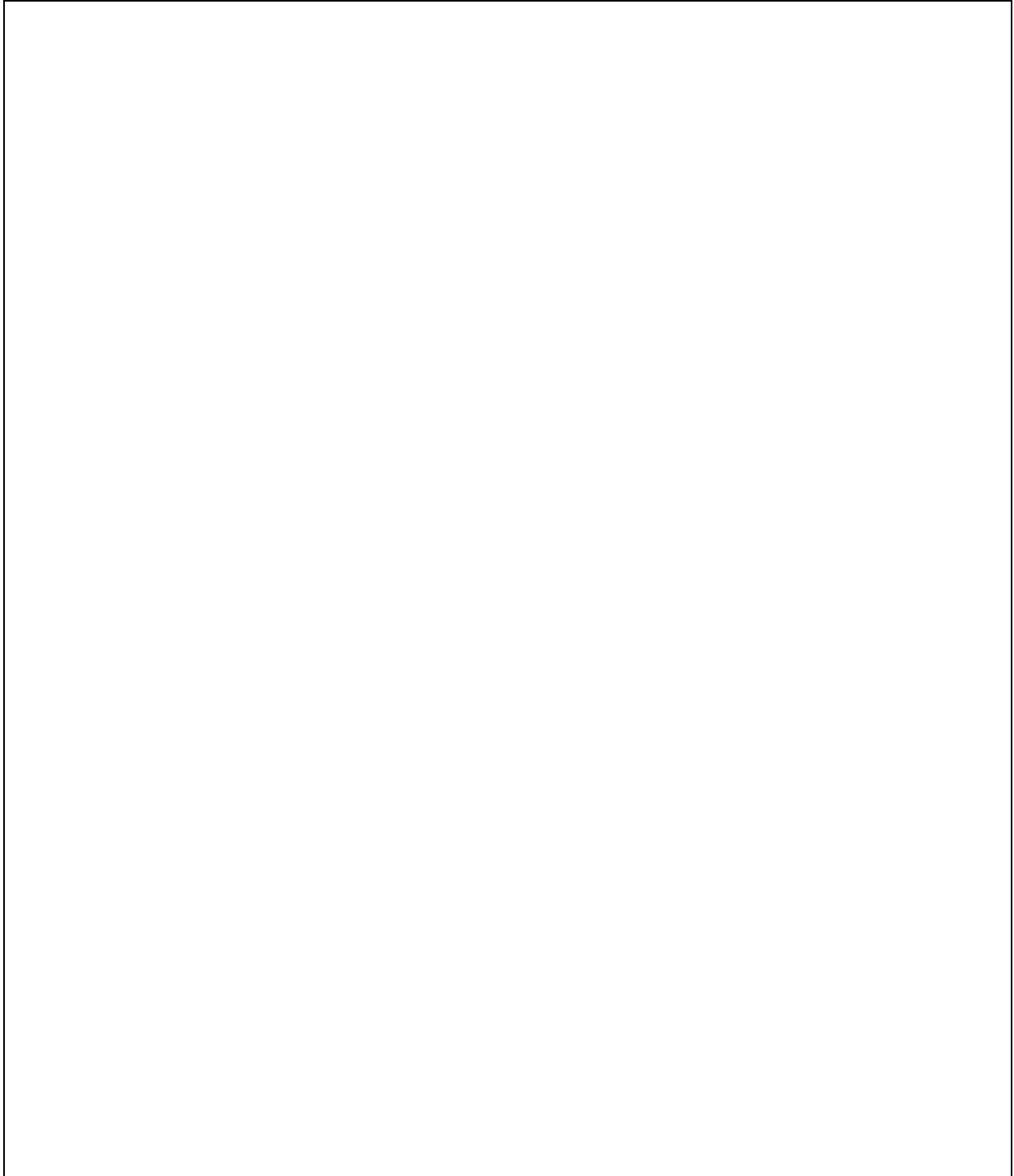
<input type="checkbox"/> Channel / Bank Projects Bank Stabilization Bank Armoring Bank Restoration Channel Alteration Vegetation Removal / Logging	<input type="checkbox"/> Recreational Projects Boat Ramps Docks Marinas Trails / Paths
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<input type="checkbox"/> Construction Projects	
Debris Removal	Drilling (Vertical or Directional)
Excavation	Temporary Diversion
Placement of Fill	Demolition
Dredging/Mining	Equipment Storage

<input type="checkbox"/> Subdivisions or Multi-Family Developments	Yes	No
Will the subdivision or other development contain 50 lots or 5 acres?	<input type="checkbox"/>	<input type="checkbox"/>
Does the plan and plat clearly identify Base Flood Elevations?	<input type="checkbox"/>	<input type="checkbox"/>
Is the 100 Year Floodplain and Floodway delineated on the plan & plat?	<input type="checkbox"/>	<input type="checkbox"/>

Floodplain Development Application

Describe the project. See the Terms and Conditions section for submission Requirements

A large, empty rectangular box with a thin black border, intended for the applicant to describe the project details as instructed in the text above.

Floodplain Development Application

By signing below, I agree with the terms and conditions contained in this permit application and certify that the information contained herein is true and accurate. I further agree that I will follow all the regulations set forth in the Flood Regulations found in the Montgomery County Zoning Resolution.

Printed Name	Signature	Date
Printed Name	Signature	Date

Attach additional signature pages if there are multiple owners. All landowners must sign before the application will be accepted.

* If the value of an addition or alteration to a structure equal or exceeds 50% of the value of the structure before the addition or alteration, the entire structure must be treated as a substantially improved structure and must be brought up to current FEMA Flood Program standards. A relocated structure must be treated as new construction

Office Use

APPLICATION NUMBER: _____

APPROVED APPROVED WITH CONDIONS DISAPROVED

AGENCY APPROVALS FEMA USF&W USCOE TDEC

CLOMR LOMR-F LOMR FLOOD STUDY ARAP

REVIEWED BY: _____ Date: _____

APPROVED BY: _____ Date: _____